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TO:	Office of Petitions	FROM:	Bill Taylor
COMPANY:	USPTO	DATE:	2/7/2005
FAX NUMBER:	703 872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	16
PHONE NUMBER:	703 308-1815	SENDER'S REFERENCE NUMBER:	
RE:	37 CFR 1.137(a)	YOUR REFERENCE NUMBER:	10/045,250

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Sir or Madam:

Please find enclosed:

Petition for Revival of Application for Patent Abandoned Unavoidably under 37 CFR
1.137(a). 3 pages.

Reply to office action and claims. 7 pages.

Amendment A and drawings. 5 pages.

Thank you.



CC: Examiner Layno, Art Unit 3712

William A. Taylor
1326 Aspen Drive
Evergreen, CO 80439

February 7, 2005

Commissioner for Patents
Washington, D.C. 20231

Re: Method of Playing and Paying Gambling Games
Application Control Number: 10/045,250
Examiner: Mr. Benjamin Layno, Art Unit #3712

Dear Examiner Layno:

In response to the last office action, a copy of which is attached, Applicant respectfully submits the following new claims #16 - #35, which should now be allowable, and an amendment referencing additional drawings, also supplied herewith. If necessary, Applicant requests Examiner's help writing claims under Section 707.07(j) of the Manual of Patent Examining Procedure, since I am a pro se applicant.

The amended claims are different as follows:

Applicant's claims had omitted essential steps. Now they are clearly distinguished from the prior art including the Miller patent (US PN 6,450,500) and Vancura patent (US PN 5,673,917), and all rejections under 35 U.S.C. 102, 103 and 112 are overcome.

Both Miller and Vancura require a side bet to participate in their blackjack payoffs. Side bets were critical elements of both patents. Their means to provide greater blackjack payoffs was to simply pay for it.

Miller's payouts were further conditioned upon not only a side bet, but then activating said side bet. Vancura's payouts are always conditioned upon a side bet and often upon the number of cards used, as well.

Applicant's invention does not require nor offer a side bet. This invention establishes a new and unanticipated way to participate in a blackjack game offering payoffs depending on point score. Applicant's new claims do not allow paying cash for the right to play the new blackjack game, nor do they claim as to the number of cards used in comprising player point scores. Finally the new claims do not differentiate between soft and hard point totals for payoffs.

Thus Applicant's game as claimed is significantly different from Miller, Vancura or both combined even if theirs is played electronically.

Additionally, the new claims point directly to material in the specification so that one skilled in the art can clearly make and/or use the invention.

Please accept the revised claims, amendment A and drawings attached.

Note I am also filing Form PTO/SB/61 due to unavoidable delay, since I did not receive the last office action by mail or email. (Examiner faxed to Applicant on 1/19/05.) In any case please consider this authorization to contact Applicant by email concerning this application at wtaylor@vistagaming.com, which should replace any previous email address supplied.

Very respectfully,



William Arthur Taylor
Applicant Pro Se

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